

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

JAMES H. RAMSEY, JR.	:	Case No. 16-23742-TPA
SANDRA L. RAMSEY	:	
Debtors	:	Chapter 13
	:	Related to Doc Nos. 112, 113, 116 & 117

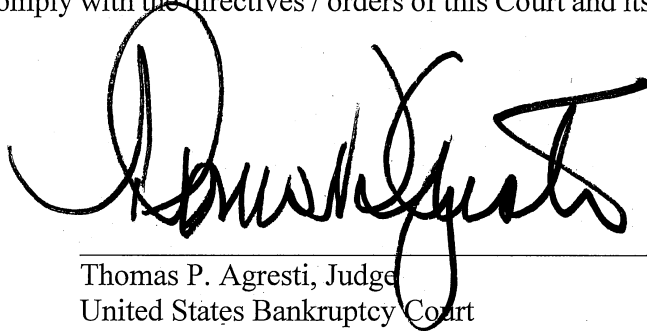
ORDER TO SHOW CAUSE

On September 19, 2018, a hearing was held on the contested Plan confirmation. At that hearing, the Court directed that the Debtors file their *Motion to Approve Loan Modification* within two weeks of the hearing, and going forward, the Plan was to track the LMP. On October 4, 2018, a *Motion to Authorize Loan Modification* (Doc. 113) ("Motion") was filed but the proposed Order was not in compliance with *W.P.A.LBR 9013-4*. A Text Order was issued at Document No. 116 directing that a new, proposed Order be filed consistent with the requirements of the *Local Rules* on or before **October 10, 2018** or the *Motion* would be denied. No new proposed Order was filed, so the *Motion* was denied by Text Order dated October 11, 2018, Doc. No. 117.

To date, Counsel has failed to comply with this Court's original directive from the September 19th hearing despite being given a "heads up" to do so on two occasions, i.e., the Text Orders at Document Nos. 116 and 117. The Court could simply dismiss the Debtors' case since the Plan is not feasible without the proposed loan modification but that would simply harm the interests of the Debtors when it is apparent that it is Counsel for the Debtors who has failed in his responsibilities in jeopardizing the Debtors' discharge in this matter. Had this been simply a "one off" on Counsel's part, the Court would most likely take a different approach in handling this matter. However, this instance of misconduct by Debtors' Counsel is simply another episode in a

long list of examples of a cavalier attitude and indifference to the Orders of this Court apparent in a number of cases in which he is Counsel of record before the Undersigned. It is time for the Court to impress upon Counsel that his antics will no longer be tolerated in this Court, or at least not before the Undersigned.

AND NOW, this 24th day of *October, 2018*, for the reasons set forth above, and especially in light of his continued lack of respect for and indifference to the Orders and Directives of this Court, it is hereby **ORDERED, ADJUDGED and DECREED** that an *Order to Show Cause* is issued against *Dennis Spyra, Esq.* who shall *personally appear*, along with his client, the Debtors, *James H. Ramsey, Jr.* and *Sandra L. Ramsey*, at a hearing scheduled for *November 8, 2018 at 10:00 A.M.* in Courtroom C, 54th Fl. U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA and show cause as to why sanctions should not be imposed against Counsel for the Debtors, Dennis Spyra, in the form of a monetary sanction, the suspension of his privileges to practice in this Court, among other things, for his failure to comply with the directives / orders of this Court and its *Local Rules*.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Case Administrator to serve:

Debtors
Dennis Spyra, Esq.
Ronda J. Winnecour, Esq
United States Trustee

In re:
James H. Ramsey, Jr.
Sandra L. Ramsey
Debtors

Case No. 16-23742-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dkam
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Oct 26, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 28, 2018.
db/jdb James H. Ramsey, Jr., Sandra L. Ramsey, 6001 Roslyn Street, McKeesport, PA 15135-1128

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 28, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 26, 2018 at the address(es) listed below:

Christopher M. McMonagle on behalf of Creditor U.S. Bank Trust National Association, as Trustee of the SCIG Series III Trust cmcmnagle@sterneisenberg.com, bkecf@sterneisenberg.com
Dennis J. Spyra on behalf of Joint Debtor Sandra L. Ramsey attorneyspyra@dennisspyra.com, deborah@dennisspyra.com/missdebrastone@msn.com
Dennis J. Spyra on behalf of Debtor James H. Ramsey, Jr. attorneyspyra@dennisspyra.com, deborah@dennisspyra.com/missdebrastone@msn.com
James Warmbrodt on behalf of Creditor U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT bkgroup@kmlawgroup.com
Office of the United States Trustee ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
Ronda J. Winnecour on behalf of Trustee Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com, srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com
Steven P Kelly on behalf of Creditor U.S. Bank Trust National Association, as Trustee of the SCIG Series III Trust skelly@sterneisenberg.com

TOTAL: 9